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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Plaintiff-Applicant, In re: BERNARD L. MADOFF, Debtor.	Adv. Pro. No. 08-01789 (SMB) SIPA LIQUIDATION (Substantively Consolidated) Re: Docket No. 18015
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, v. Edward A. Zraick, Jr., <i>et al.</i> Defendants.	Plaintiff, Hearing Date: October 31, 2018 at 10:00 a.m. Objection Deadline: October 17, 2018 at 5:00 p.m.	Adv. Pro. No. 10-05257 (SMB) Re: Docket No. 100

**DECLARATION OF ROBERT A. RICH IN SUPPORT OF
ZRAICK DEFENDANTS' OBJECTION TO TRUSTEE'S MOTION
FOR LIMITED ADDITIONAL DISCOVERY BASED ON
PRIOR ORDERS AUTHORIZING DEPOSITION OF BERNARD L. MADOFF**

I, Robert A. Rich, hereby declare (the "Declaration"), pursuant to 28 U.S.C. § 1746, as follows:

1. I am counsel with the law firm of Hunton Andrews Kurth LLP, counsel for Edward A. Zraick, Jr, Nancy Zraick, Patricia DeLuca and Karen Rich (collectively, the “Zraicks”). I make this Declaration in support of Zraicks’ objection (the “Objection”) to the motion (D.I. 18015, Adv. D.I. 100) (the “Motion to Reopen Discovery”) filed by Irving H. Picard, as trustee (the “Trustee”), seeking to reopen discovery in the above-referenced adversary proceeding (this “Adversary Proceeding”). Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Objection.

2. Attached to the Objection as **Exhibit A** is the March 29, 2017 hearing transcript in this Adversary Proceeding.

3. Attached to the Objection as **Exhibit B** are the *Responses and Objections to the Defendants’ First Set of Interrogatories to the Trustee* served by the Trustee on May 19, 2016.

4. On November 16, 2016, the Trustee served the Zraicks with four (4) expert reports, two by Matthew Greenblatt, one by Lisa Collura, and the *Expert Report of Bruce G. Dubinsky* dated August 20, 2013 (the “Dubinsky Report”). Attached to the Objection as **Exhibit C** is a copy of the Dubinsky Report, without exhibits.

5. On February 14, 2017, the Zraicks served the expert report of Bill Feingold, rebutting the testimony of Mr. Dubinsky.

6. On December 31, 2016, the Zraicks served on the Trustee a notice of deposition of Matthew Greenblatt. Attached to the Objection as **Exhibit D** is a copy of the notice of deposition.

7. The Trustee agreed to produce Mr. Greenblatt and the deposition has been twice scheduled, but both scheduled times were cancelled by the Trustee. Although the Case Management Notice provides for mediation following the close of discovery, the Trustee has

taken the position that his unilateral failure to produce Mr. Greenblatt for deposition suspends the discovery schedule.

8. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: New York, New York
October 17, 2018

/s/ Robert A. Rich
Robert A. Rich